



Interview Summary: the Honorable Bill Blair, Minister of Emergency Preparedness and President of the Queen's Privy Council for Canada

Minister Blair's witness summary should be read alongside the witness summaries for both the Public Safety panel, which consisted of Rob Stewart (Deputy Minister), Talal Dakalbab (Assistant Deputy Minister of the Crime Prevention Branch), Dominic Rochon (Assistant Deputy Minister of the National Cyber Security Branch) and Deryck Trehearne (General of the GOC), and the Privy Council Office Emergency Preparedness panel, which consisted of Jeffery Hutchinson (Assistant Secretary to the Cabinet, Emergency Preparedness) and Jacqueline Bogden (Deputy Secretary to the Cabinet, Emergency Preparedness and COVID-19 Recovery).

Minister Blair was interviewed by Shantona Chaudhury, Yves Côté, Gordon Cameron, and Alexandra Heine on September 6, 2022. Questions about this summary should be directed to Ms. Heine.

Text contained in [square brackets] consists of explanatory notes provided by Commission Counsel to assist the reader.

Background

Minister Blair was a police officer for the Toronto Police Service ("**TPS**") for 31 years. He served as TPS' Chief of Police from 2005 to 2015. He also served as the President of both the Ontario Association of Chiefs of Police and the Canadian Association of Chiefs of Police.

Minister Blair has significant experience dealing with protests. As an inspector, he was in charge of a Public Order Unit [which is a unit made up of officers who are highly trained in crowd management and who get deployed to deal with large protests]. He spent nine years in public order roles. As Chief of Police, he had to manage a number of significant protests in Toronto, including the 2010 G20 Toronto summit. During those protests, he had to review and approve plans that were prepared by his officials, and present them to the TPS Board.

Minister Blair was appointed Minister of Public Safety and Emergency Preparedness in November 2019. He held that role until October 2021, when he was appointed President of the Queen's Privy Council and Minister of Emergency Preparedness. The Honourable Marco Mendicino was appointed as Minister of Public Safety.

Although Minister Mendicino and Minister Blair work closely together, they have different responsibilities. Minister Blair's primary responsibility is advancing Public Safety's emergency preparedness mandate. He is in charge of the Privy Council Office's Emergency Preparedness Secretariat, and, as President of the Queen's Privy Council, he chairs the Cabinet Committee on Safety, Security and Emergencies ("**SSE**"). [The SSE's mandate is to consider threats and risks to the safety and security of Canada and



Canadians. It manages ongoing emergencies by ensuring an integrated response at the Ministerial level. The SSE has regularly scheduled meetings and can also be convened on an *ad hoc* basis, as required.]

Minister Blair is also in charge of managing requests for federal assistance (“**RFAs**”) from provinces, pursuant to s. 4(1) of the *Emergency Management Act*, SC 2007, c. 15. He works closely with Public Safety officials, including the Deputy Minister, Rob Stewart, to manage RFAs. [The Government Operations Centre (“**GOC**”), under Director Deryck Trehearne, is part of the Emergency Management and Programs branch of Public Safety. On request, the GOC assists with the coordination of federal emergency responses to actual or potential emergency events by providing continuous monitoring and reporting, national-level situational awareness, warning notes, risk assessments, and planning assistance relating to government-wide emergency response management. This role includes assessing and making recommendations with respect to RFAs.]

Minister Blair also works closely with the Prime Minister’s National Security and Intelligence Advisor (“**NSIA**”), Jody Thomas.

Involvement in the Federal Response to the Freedom Convoy

During the Freedom Convoy (“**Convoy**”), Minister Blair called and chaired meetings of the SSE on an *ad hoc* basis in response to the protests. [The SSE meetings occurred on February 3, 6, and 8, 2022, and the attendees included Minister Mendicino and the Commissioner of the Royal Canadian Mounted Police (“**RCMP**”), Brenda Lucki.]

Minister Blair explained that on or around February 10, the Prime Minister made the decision that the threat level of the Convoy had risen such that it was necessary to convene the Incident Response Group (“**IRG**”). Meetings of the SSE regarding the Convoy were therefore replaced with meetings of the IRG, and management of the Convoy was moved to the IRG. [The IRG serves as a dedicated forum in the event of a national crisis or during incidents elsewhere that have major implications for Canada. It is responsible for coordinating a prompt federal response to an incident, and making fast, effective decision. IRG is chaired by the Prime Minister and has no fixed membership: as a working group of Ministers, membership may consist of relevant Ministers, including Minister Blair, and senior government leadership, as needed, based on the nature of the incident. The IRG had its first meeting on February 10. It met again on February 12, 13, and 16, and every day thereafter until February 23.]

Minister Blair also stated that he convened tripartite meetings to bring together representatives from all three levels of government in Ottawa to coordinate a response to the Convoy. Representatives from the City of Ottawa, law enforcement, and the federal government attended these meetings [such as the Mayor of Ottawa, Jim Watson, the City of Ottawa manager, Steve Kanellakos, the then-Chief of the Ottawa Police Service (“**OPS**”), Peter Soly, Minister Mendicino, Minister Blair, and Deputy Minister Stewart]. The Government of Ontario (“**Ontario**”) did not participate in any of the meetings.



Minister Blair explained that one of his primary concerns during the Convoy was the security of Parliament Hill and the Parliamentary Precinct. This concern arose from the symbols of extremism and hate that the protesters displayed, such as Nazi and Confederate flags. One of his objectives was to ensure that Parliament could continue to operate safely.

Intelligence

Minister Blair learned of the Convoy in early January through open source media. At the time, the media was describing the Convoy as a trucker-related event in western Canada.

The media started reporting that the Convoy was moving towards Ottawa in late January.

The first briefing that Minister Blair received about the Convoy was on January 27. He explained that he and the NSIA were briefed by their officials generally about the event. He did not receive information through that briefing or otherwise about how many protesters were coming to Ottawa or how long they were planning on staying. Normally, rolling convoys roll through – they are disruptive for a few hours, but they move on quickly. Minister Blair did, however, recall that some media were reporting that the protesters were planning on staying until the vaccine mandates were lifted.

Minister Blair stated that his working assumption was that the OPS was receiving the same intelligence as he was about the protesters.

Law Enforcement

Early Response to the Convoy

In the early days of the protest, Minister Blair was of the view that the OPS was properly equipped to deal with the Convoy. While he is always concerned about how a protest will unfold, in the early days he was not concerned with the police's capacity to respond.

After the protesters arrived in Ottawa and parked trucks in the downtown area, Minister Blair became concerned that the vehicles were not being tagged and towed. He discussed this issue with Chief Sloly and Mayor Watson, on a call sometime in early February. Chief Sloly explained that the OPS was unable to tag and tow the parked vehicles because they could not get assistance from tow truck companies. He also told Minister Blair that he was concerned that tagging and towing vehicles could result in an escalation of violence. Minister Blair accepted Chief Sloly's explanation, because Chief Sloly was the Chief of Police, the officer in charge, and the person on the ground.

Minister Blair explained that, in particular because of hindsight bias, he could not fairly opine on whether the OPS could or should have taken additional steps prior to the arrival of the Convoy to prevent vehicles from parking in the downtown core. At the time, based on the information they had, they made decisions attempting to facilitate lawful, peaceful protest but bring it to a peaceful resolution.



When asked about similar protest situations in Quebec City and Toronto, Minister Blair noted that in those instances, the police moved in quickly – the vehicles were quickly tagged and towed, and therefore did not become entrenched.

Minister Blair went on to describe the Convoy protest as unique. Once the vehicles were established, they became an anchor. Although he had dealt with slow roll convoys that tried to blockade roads when he was a police officer, he had never experienced circumstances where police were unable to get assistance from tow trucks to tow parked vehicles.

The overall situation was made particularly difficult by a number of factors, including the fact that the issue of procuring tow trucks was not limited to Ottawa: police had difficulty getting the necessary equipment to move vehicles in Coutts, Alberta and on the Ambassador Bridge in Windsor. This was unprecedented. As Minister Blair described it, once the protester vehicles became entrenched in Ottawa, in Coutts and on the Ambassador Bridge, they became a real anchor that changed the nature of the protests. It was no longer the type of protest that he had seen before.

In the same vein, Minister Blair said that ticketing individuals for by-law violations would not have been a deterrent in the circumstances because of the protesters' fundraising and access to funds. This was also a variable unique to the Convoy protest.

Relationship with Chief Sloly and Contact during the Convoy

Minister Blair stated that he has had a good relationship with Chief Sloly for many years. They worked together at TPS. When Chief Sloly became the Chief of the OPS, they discussed his plan to bring new reforms to the OPS. Minister Blair and Chief Sloly had worked together in the past on police reforms and shared a commitment to diversity and better outreach in cities.

Minister Blair explained that he had no one-on-one contact with Chief Sloly during the Convoy. His conversations were with Mayor Watson. He spoke to Chief Sloly only at the tripartite meetings. Minister Blair did make an offer, through a mutual acquaintance, that if Chief Sloly ever wanted to talk – not as Minister and Chief, but as two former colleagues – he would. Chief Sloly did not take him up on that.

At the tripartite meetings, Minister Blair was careful not to instruct or interfere with OPS' operations. In Minister Blair's view, the role of the government officials – whether it is the Minister of Public Safety, the Ottawa Police Services Board ("**OPS Board**"), or the Solicitor General for Ontario – is to oversee law enforcement at a high level to hold them accountable. It is not to direct or influence law enforcement operations.

Requests for Additional Police Resources

Minister Blair was asked about the City of Ottawa's request for additional resources. [After the Convoy arrived in Ottawa, the OPS requested assistance from the RCMP. On February 7, Mayor Watson and the Chair of the OPS Board, Diane Deans, sent a letter to the Prime Minister and Minister Mendicino stating that the OPS required a "dramatic and



immediate injection” of additional resources: 1,000 regular officers, 600 public order officers, 100 investigative officers, 100 civilian staff, and supporting resources.^{1]}

Minister Blair explained that there were two problems with the Mayor’s request for resources.

First, the RCMP and the Ontario Provincial Police (“**OPP**”) were reluctant to provide additional policing resources to the OPS without a satisfactory plan in place that set out how those resources would be utilized to bring about a peaceful resolution to the protests. They wanted to understand the plan and were concerned about what was going to be done with the resources. Though Minister Blair was not a party to these discussions, he was aware that there were challenges in bringing forward a coherent plan. He did not have direct knowledge of why, but had heard that they stemmed from a turnover of OPS personnel, lack of solidarity within the OPS’ command structure, and issues between Chief Soly and his subordinates. Significant progress was made [between February 11 and 15] when it became broadly recognized that the Convoy exceeded the OPS’ capacity to deal with it on its own. As Minister Blair explained it, the OPS needed other police forces to come together and once they did, a proper incident response plan was developed.

Second, the City of Ottawa and OPS were not following the proper procedure for requesting resources. Requests for police resources in Ontario are formally governed by the process set out in s. 9 of the *Police Services Act*, RSO 1990, c. P.15 (“**PSA**”). Minister Blair explained that pursuant to that process, municipal police forces must direct their requests to the Solicitor General of Ontario and the OPP before requesting assistance from the RCMP.

Minister Blair noted that Mayor Watson understood the process set out in the *PSA* well. However, he wanted the assistance of RCMP officers and so he made the request to the federal government first. Proceeding in this manner, Minister Blair clarified, is not unusual in normal times. Due to the unique division of police jurisdiction in the National Capital Region, the OPS is used to dealing directly with the RCMP and the RCMP frequently provides resources and assistance to the OPS informally. There is a long history of collaboration between the OPS, the OPP and the RCMP in the National Capital Region.

However, in the circumstances and given the size of the request [for 1,700 additional officers and 100 civilian staff], the Mayor was required to go through the formal channels and seek assistance from the Solicitor General and OPP first. If the OPP was unable to

¹ February 7 letter to the Prime Minister and Minister Mendicino from Mayor Watson and Diane Deans regarding request for additional police resources, **SSM.CAN.00000084**.



fulfil the request because it exceeded its capacity, the RCMP would have provided additional resources.

Engagement with the Provinces

The Government of Ontario

Minister Blair explained that Ontario shared the federal government's concerns about the protests. Specifically, the provincial government was concerned about the impact of the protests taking place at the Ambassador Bridge and at the Peace Bridge in Sarnia.

When asked about Ontario's attitude to the protests, Minister Blair said that Ontario was concerned. Both he and Minister Mendicino had conversations with the Solicitor General of Ontario, Sylvia Jones. Minister Blair specifically recalled that Minister Jones was supportive of the idea of Ontario invoking its *Emergency Management and Civil Protection Act*, RSO 1990, c. E.9.

Deputy Minister Stewart also had productive conversations with his Ontario counterparts.

When asked why Ontario did not attend the tripartite meetings, Minister Blair said he did not know, but Ontario appeared to have a sense that this was a federal problem, and it was for the federal government to fix it. He believed they were reluctant to engage with the City of Ottawa and the OPS because they did not want to run the risk of interfering with police operations.

The Government of Alberta

Minister Blair explained that his engagement with the Government of Alberta was limited to dealing with the RFA that the Alberta Minister of Municipal Affairs, Ric McIver, sent him and Minister Mendicino on February 5.² In this RFA, Minister McIver asserted that Alberta had exhausted their authorities for dealing with the Coutts protests and required resources from the federal government to assist them in moving approx. 70 semi-tractor trailers and 75 personal and recreational vehicles, which were located in Coutts [and Milk River].

Deputy Minister Stewart reached out to the Canadian Armed Forces (“CAF”) to determine whether they could provide the resources requested. The CAF advised him that they did not have the proper equipment.

The Invocation of the *Emergencies Act*

Minister Blair explained that the *Emergencies Act*, RSC 1985, c. 22 (4th Supp.) was necessary for four main reasons.

First, Minister Blair stated that the protester activity at the ports of entry (“POEs”) elevated

² February 5 letter to Minister Mendicino and Minister Blair from Minister McIver regarding request for federal assistance, **PB.CAN.00000718**.



the threat level of the Convoy to a national security threat. Though Ottawa was facing significant challenges, Minister Blair was of the view that Parliament was continuing to function fairly well. What concerned him the most were the threats to the critical infrastructure of Canada's POEs caused by the border blockades. The Coutts blockade took over two weeks to clear and the protesters closed off the POE; the Ambassador Bridge blockade took 5 days to clear out and caused multiple automobile plants in the Windsor area to shut down; and protests and blockades were appearing sporadically at or near the Emerson, Pacific Highway and Peace Bridge POEs. This appeared to be a concerted and organized effort by the protesters to blockade critical infrastructure.

Second, Minister Blair stated that the inability to clear the blockades raised questions about Canada's ability to maintain secure borders, which was damaging Canada's reputation as a trading partner.

Third, the blockades harmed Canada's economy. Minister Blair said the most significant example of the harm that Canada's economy suffered was the Ambassador Bridge blockade. 390 million dollars of goods come through the Ambassador Bridge POE every day. This includes foods, pharmaceuticals, and other items that are part of an integrated manufacturing process.

Fourth and finally, existing authorities had been exhausted and proven to be inadequate. As Minister Blair explained, the police were unable to use authorities such as the *Highway Traffic Act*, RSO 1990, c. H.8, the *Criminal Code*, RSC 1985, c. C-46, and other provincial and federal statutes, to address the significant difficulties they were facing. This was partly for reasons of safety, *i.e.*, it might not be safe to attempt such enforcement. Minister Blair noted that:

- The police services in Windsor, Ottawa, Coutts and Emerson were having difficulties getting tow trucks;
- The RCMP in Coutts was having difficulties with enforcement because there was information about the presence of firearms and the RCMP was concerned with officer safety;
- The OPP and Windsor Police Service were having difficulties with enforcement because some of the vehicles were parked on a municipal intersection; and
- The OPS was having trouble tracking the funding [where it was coming from and how it was being used] and the Financial Transactions and Reports Analysis Centre of Canada did not have the authorities that they needed to effectively deal with that funding.

Existing authorities did not adequately address any of these situations.



Minister Blair was asked about an email that the Commissioner of the RCMP, Brenda Lucki, sent on February 13 to Minister Mendicino through his Chief of Staff, Mike Jones, stating her view that:

[W]e have not yet exhausted all available tools that are already available through the existing legislation. There are instances where charges could be laid under existing authorities for various *Criminal Code* offences occurring right now in the context of the protest. The Ontario *Provincial Emergencies Act* just enacted will also help in providing additional deterrent tools to our existing toolbox.³

Minister Blair answered that in his view the Commissioner was doing her job by ensuring that everything that could be done pursuant to existing authorities was being done, and that the RCMP was properly acting within its existing authorities. He added that it is not up to the police to ask the government for more tools. The police were doing their best with the tools they had.

Minister Blair was also asked about the statement he made on February 13 that the lack of enforcement from the police was “inexplicable” and that Ontario’s emergency proclamation gave the police new authorities and effective tools to “do their jobs and enforce and uphold the law”.⁴ He said that he used the word “inexplicable” to indicate that the lack of enforcement could neither be explained nor accounted for. He noted, however, that the police had indicated that they were having difficulty tracking the protest funding, getting tow trucks and with a number of other issues. He also asserted that Ontario’s invocation of their emergency legislation was helpful but it did not solve all the challenges they were facing. When that authority proved to be insufficient, it compelled the federal government to look at what else it could do to assist. Minister Blair characterized the federal government’s decision to invoke the *Emergencies Act* as one taken with great care, and reluctance.

³ Email from Commissioner Lucki and Chief of Staff Jones to Minister Mendicino and Deputy Minister Stewart, referencing the *Ontario Emergency Management and Civil Protection Act*, RSO 1990 Chapter E.9, February 13, 08:56 p.m. (EST), February 14, 00:56:48 a.m. (GMT), **SSM.NSC.CAN.00002280**.

⁴ CBC, “Government considering emergency powers with ‘appropriate caution,’ federal minister says”, February 13, 2022, online: < [Government considering emergency powers with ‘appropriate caution,’ federal minister says | CBC News](#)>.